Birmingham Bombshell

Did Gary Thomas Rowe Bomb and Kill for the F.B.I.?

BY PETER BISKIND

Sunday, September 15, 1963 in Birmingham, Alabama was mild and pleasant. The sky was partly overcast. The Sixteenth Street Baptist Church, which had been the staging area for the massive Black demonstrations that rocked Birmingham during the spring, had once again become a house of worship. This Sunday was Youth Day. The church was full of children. Although the atmosphere in Birmingham was tense—the public school system had just embarked on an uncertain course of court-ordered desegregation—many hoped the worst was over. White community leaders had finally realized that Birmingham's ferocious race war was bad for business. They had ended weeks of Black sit-ins and marches by agreeing to integrate downtown lunch counters, rest rooms and drinking fountains.

At 11:25 a.m., Denise McNair, aged 11, and Addie Mae Collins, aged 14, were in the basement at the rear of the building putting on robes to sing in the youth choir. Cynthia Wesley and Carole Robertson, also 14, were to be ushers. Suddenly, a deafening explosion, like a thunderclap, shook the church and a storm of flying glass and falling stone broke over the children. The blast knocked down a brick wall, blew out doors, pulverized a concrete stairway and shattered stained glass windows. One that remained almost intact pictured Christ leading a group of children; now there was a gaping black hole where the face had been. Bibles and hymnals lay shredded on the floor like so much confetti. Blood was spattered over the choir robes. The acrid odor of dynamite hung in the air. When the clouds of plaster dust cleared away, Denise McNair, Addie Mae Collins, Cynthia Wesley and Carol Robertson were dead.

Almost immediately, J. Edgar Hoover flooded Birmingham with F.B.I. agents, calling the Bureau's operation "the most intensive since the hunt for John Dillinger." One top F.B.I. official said: "We'll solve the case if it takes 10 years."

In fact, it took 15 years. And were it not for the intervention of Alabama's Attorney General, Bill Baxley, the Birmingham bombers (there are reportedly at least nine) would have died quietly of old age in their sleep before they were ever brought into court by Hoover's G-men. Last November, Baxley managed to convict one person, 74-year-old Robert Chambliss. The investigation is now entangled in the ups and downs of Baxley's political fortunes and where it goes from here is anybody's guess. What does seem clear is that the F.B.I. failed to crack the case, not because it couldn't, but because it didn't want to. The Bureau's star informer, Gary Thomas Rowe, Jr., who penetrated the Klan in the 1960s, may have provoked the violence he was paid to report on.

DECLAN HAUN—BLACK STAR

Inside of bombed 16th Street Baptist Church.

According to *The New York Times*, two separate lie detector reports, completed last year and just made public, indicate that Rowe was telling less than the truth when he informed Baxley's investigators in 1977 that he had nothing to do with the bombing. They suspect that he probably knew in advance that the bombing had been planned and failed to report it to the Bureau. He may even have accompanied Robert Chambliss in the car that delivered the bomb.

The polygraph tests indicated that Rowe was "attempting deception" when he denied setting off shrapnel bombs in Black neighborhoods subsequent to the church bombing. According to *The New York Times*, the investigators suggested that Rowe, paid for information by the F.B.I. on a piece-work basis, may have provoked Klan violence to earn more money.

Rowe also confessed to startled state investigators that in the confused aftermath of the bombing, he shot and killed a Black man who was allegedly beating up a white woman. When he reported the incident to his F.B.I. "control", agent Byron McFall, McFall told him to "sit tight and don't say anything else about it." McFall, now a federal judge in Oklahoma City, called Rowe's account "an absolute falsehood", and an F.B.I. spokesman said that the Bureau's records show no indication that such a shooting ever took place. Rowe charged that the F.B.I. sanitized its files to cover up the slaying.

Finally, both Baxley's investigators and polygraph tests commissioned by ABC's news show *20/20* have raised serious questions about Rowe's role in the March 1965 slaying of Viola Liuzzo. Liuzzo, a Detroit woman in Alabama for Martin Luther King's Selma-to-Montgomery civil rights march, was shot to death one night on a lonely back road in Lowndes County by Klansmen. It was Rowe who identified the men in 1965 and it was his testimony that convicted them of conspiracy to violate Liuzzo's civil rights in their third trial. (They were twice acquitted of murder.) Rowe told the court that he was in the car with the three men as it pursued and then drew alongside Liuzzo's car. He testified that he pointed his gun at Liuzzo, along with the others, but withheld his fire, allowing one of his companions to actually shoot her. According to Alabama investigators, however, Rowe told two Birmingham policemen that he did in fact participate in the shooting.

Both convicted men, Collie Leroy Wilkens and Eugene Thomas (the third

man is now dead), recently submitted to lie detector tests for ABC's *20/20*. The results indicate that they were telling the truth when they claimed that Rowe killed Liuzzo. Rowe also submitted to ABC's polygraph test, and denied that he shot Liuzzo. The tests indicated a "deception". Last December, Liuzzo's family filed a $2 million damage suit against the F.B.I., charging that Rowe could and should have prevented Liuzzo's death.

Rowe had already testified before the Church Committee on Intelligence in 1975 that the Bureau had encouraged him to participate in acts of violence. He has been in hiding with an F.B.I.-supplied new identity since the Liuzzo trial in 1965 and now claims he was victimized by the Bureau. He broke down and cried during the filming of a recent documentary on the Klan, advising viewers: "Don't get involved with the F.B.I. I can't see my kids except for once a year. It wasn't worth it." He says the government still owes him money.

The F.B.I., for its part, has called Rowe a publicity seeker. (Columbia Pictures has just completed a TV movie for NBC called *The Freedom Riders*. Based on Rowe's book, *My Undercover Years with the Ku Klux Klan*, it features former football star Don Meredith in the lead.) Polygraph results are not admissible in court, but the cumulative weight of all the tests, in addition to Rowe's own admissions, make him an extremely hot potato for the F.B.I., and go some distance toward explaining the Bureau's less-than-enthusiastic pursuit of the bombing investigation.

There had been 21 bombings in the eight years preceding the church bombing, all of them unsolved. They earned Birmingham the name "Bombingham"; the newly-integrated white neighborhood where many blasts occurred was known as "Dynamite Hill". A few weeks after the church bombing, Governor George Wallace's state troopers arrested Chambliss and two other Kluxers, charging them with possession of dynamite, a misdemeanor. *Time* magazine wryly observed at the time that possession of dynamite in Birmingham was about as common as jaywalking. The three were tried, convicted and sentenced to fines of $100 each and 180 days in jail. The convictions were thrown out on appeal and all three were freed.

The state's files on the church bombing disappeared shortly thereafter, sometime during the transition between Attorney General Richmond Flowers and Attorney General MacDonald Gallion in 1967. "They've had a lot of trouble with filing space," said Gallion. "Maybe they threw them out."

Baxley reopened the investigation in 1971, shortly after taking office. One of the first things he did was to ask the F.B.I. for its files on the case. It wasn't until four years later, in 1975, that the F.B.I. obliged, after Baxley reportedly threatened to hold a new conference in Washington with the parents of the dead girls. "It really hung us up," said Baxley. "We couldn't bring in suspects for questioning until we'd found out what they'd said before, over the years, to other agents. And the F.B.I. wouldn't let us talk to their agents who had worked on the case. I don't know why. It defies logic.

"Even when they agreed to cooperate, we had to know exactly what to ask for by name: Give me a transcript of this interview with that individual. I want this lab report and that polygraph thing." According to Assistant Attorney General George Royer, who worked on the investigation, it was a catch-22 situation: "You had to know what to ask for before you could get it, but you couldn't know what to ask for without first seeing the files."

Baxley is smack in the middle of campaigning for governor, and according to long-time observers of Alabama's Barnum and Bailey political scene, he'd just as soon forget about the Birmingham bombing. "The Chambliss conviction hurt him," said one source. "There's a lot of white backlash below the surface. Nobody will come right out and say so, but in private people are asking, 'Why is he digging up all that dirt again? That's behind us.' "

The Rowe revelations were leaked to *The New York Times* and the *Birmingham News* by the Birmingham police who have hated Rowe since the 1960s, and never cared for Baxley either. A lot of people are now wondering why Baxley sat on this information, and what kind of a deal he made with Rowe that he didn't prosecute him. Baxley says he's satisfied that Rowe wasn't present at the bombing. "Rowe's a chronic liar," said Tom Cork, of Baxley's staff. "He couldn't pass a polygraph test on anything."

Two years ago, Baxley was the odds-on favorite to replace George Wallace in the governor's mansion. He was the self-proclaimed heir to Alabama's populist heritage. He saw himself following Hugo Black in the footsteps of Clifford Durr, Big Jim Folsom and Frank Johnson. Baxley earned a reputation as the scourge of the special interests, an alliance of Black Belt planters, courthouse politicians, land developers and corporate giants that has run Alabama as long as anyone can remember. During his two terms in office, he has blocked Mobil Oil from drilling in Mobile Bay, harassed strip miners and taken the Tennessee Valley Authority, the Environmental Protection Agency, the Army Corps of Engineers and U.S. Steel to court for polluting Alabama's air and water. He has prosecuted white collar criminals, corrupt officials and backwoods sheriffs.

But last fall, a local Montgomery reporter, Mark MacIntyre, discovered some financial hanky-panky between Baxley and a New Orleans multi-millionaire named Lewis J. Roussel. MacIntyre charged that Baxley protected Roussel's insurance companies operating in Alabama from charges of self-dealing leveled by the state Insurance Department. In exchange, Roussel contributed generously to Baxley's campaign coffers (most of which Baxley returned).

Baxley likes to gamble. But when one jaunt to Las Vegas was splashed all over Alabama newspapers, he shifted his attentions to the commodities market. In 1975, he allegedly made $60,000 speculating in sugar. The next year, he reportedly lost $113,000 to $120,000 on coffee, a sizable loss for a public official who only makes $33,000 a year. Baxley covered the loss by writing checks on Roussel's New Orleans banks.

When the Baxley-Roussel connection surfaced, Baxley's campaign funds dried up and his political star began to fade. But a U.S. Attorney's investigation gave him a clean bill of health and the money began to flow again. The polls list him second, behind former governor Albert Brewer, who took a campaign contribution of $400,000 from the Nixon White House in 1970 to beat George Wallace, and is best remembered for standing with Wallace in the schoolhouse door in Tuscaloosa to bar Autherine Lucey from the University of Alabama, an indiscretion Baxley will not let the voters forget. The third candidate, Lieutenant-Governor Jere Beasley, is generally considered to be a joke.

Given the competition, Baxley may still pull it off. He's a good speaker and a better campaigner that either Brewer or Beasley. The Birmingham prosecution and the continuing saga of Gary Rowe have won him friends among Alabama's Black voters. Baxley has lost some of his gloss, but environmentalists, labor, populists and liberals have nowhere else to go. As one Baxley supporter put it, "Baxley's been knocked off his white horse. Now the object is to get our whore to finish before the other whores." □